

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/10/2019

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NAGIBE AL-HAJ,

Plaintiff,

-against-

KIRBY FORENSIC PSYCHIATRIC CENTER
O-M-H,

Defendant.
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19 Civ. 6072 (LGS)

ORDER

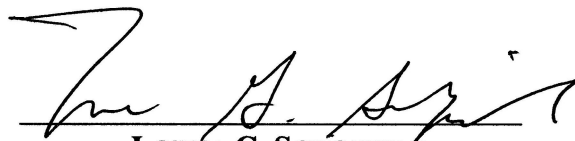
LORNA G. SCHOFIELD, District Judge:

WHEREAS, a telephone conference was held on December 10, 2019, to discuss Plaintiff's Amended Complaint. It is hereby

ORDERED that Plaintiff shall file a Second Amended Complaint ("SAC") by **January 10, 2020, against any of the individuals listed in the enclosed October 14, 2019, memo-endorsed Order.** As discussed, if the SAC names only Defendant Kirby as a defendant again, then the SAC will be dismissed and the entire case closed. Because Defendant Kirby is a New York State institution, the Eleventh Amendment does not permit Kirby to be sued. Instead, Plaintiff may sue Kirby's employees and other individual state officials, as listed in the enclosed October 14, 2019, Order, and must describe what each one individually did to violate Plaintiff's constitutional rights.

The Clerk of Court is respectfully directed to mail (1) a copy of this Order and (2) the October 8, 2019, Order at Dkt. No. 14, to Plaintiff.

Dated: December 10, 2019
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE